

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MANNY PASTREICH, *as Trustee*, and THE
TRUSTEES OF THE BUILDING SERVICE 32BJ
HEALTH FUND, BUILDING SERVICE 32BJ LEGAL
SERVICES FUND, BUILDING SERVICE 32BJ
THOMAS SHORTMAN TRAINING, SCHOLARSHIP
AND SAFETY FUND, AND BUILDING SERVICE
32BJ,

Plaintiffs,

-v.-

PROSEGUR SERVICES GROUP, INC. and
PROSEGUR SERVICES GROUP, INC. *d/b/a*
AVIATION SAFEGUARD,

Defendants.

23 Civ. 760 (KPF)

DEFAULT JUDGMENT

KATHERINE POLK FAILLA, District Judge:

On application for Default Judgment by Plaintiffs Manny Pastreich, as Trustee, and the Trustees of the Building Service 32BJ Health Fund, Building Service 32BJ Legal Services Fund, Building Service 32BJ Thomas Shortman Training, Scholarship and Safety Fund, and Building Service 32BJ Supplemental Retirement and Savings Plan, brought on by the Order to Show Cause dated March 24, 2023 and returnable before the Honorable Katherine Polk Failla, United States District Judge, and Defendant Prosegur Services Group, Inc., and Prosegur Services Group, Inc. *d/b/a* Aviation Safeguard (collectively “Defendant”) having been duly noticed of the proceeding and the Defendant having not appeared in opposition to the Order to Show Cause, and the Court having found default judgment to be appropriate:

IT IS HEREBY ADJUDGED that Defendant is liable to Plaintiffs as alleged in the Complaint in this action (Dkt. #7) for all past due contributions owed due to ESS reporting; for unpaid interest associated with ESS reporting; for liquidated damages associated with past due contributions owed due to ESS reporting; and for failure to produce and deliver (i) individual earnings records; (ii) weekly payroll journals; (iii) timesheets; (iv) quarterly state and federal payroll taxes; (v) W-2s; (vi) employee rosters; (vii) general ledger and cash disbursement journals; and (viii) all other documents required as Audit Documents as explained in the Complaint and default papers. (See Dkt. #7 (Causes of Action I-IV)). Defendant is further liable for attorney's fees and costs.

The Court refers this case to Magistrate Judge Willis for an inquest hearing following default and for damages. A referral order shall issue under separate cover.

SO ORDERED.

Dated: May 9, 2023
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

KATHERINE POLK FAILLA
United States District Judge